

(d) The goal of these official communications should be the expeditious release of all religious prisoners in China and Tibet and the end of the Chinese Government's policy and practice of harassing and repressing religious believers.

SEC. 9012. (a) Notwithstanding any other provision of law, no funds appropriated or otherwise made available for the Department of State for fiscal year 1999 for the United States Information Agency or the United States Agency for International Development may be used for the purpose of providing travel expenses and per diem for the participation in conferences, exchanges, programs, and activities of the following nationals of the People's Republic of China:

(1) The head or political secretary of any of the following Chinese Government-created or approved organizations:

- (A) The Chinese Buddhist Association.
- (B) The Chinese Catholic Patriotic Association.
- (C) The National Congress of Catholic Representatives.
- (D) The Chinese Catholic Bishops' Conference.

(E) The Chinese Protestant "Three Self" Patriotic Movement.

- (F) The China Christian Council.
- (G) The Chinese Taoist Association.
- (H) The Chinese Islamic Association.

(2) Any military or civilian official or employee of the Government of the People's Republic of China who carried out or directed the carrying out of any of the following policies or practices:

(A) Formulating, drafting, or implementing repressive religious policies.

(B) Imprisoning, detaining, or harassing individuals on religious grounds.

(C) Promoting or participating in policies or practices which hinder religious activities or the free expression of religious beliefs.

(b)(1) Each Federal agency subject to the prohibition in subsection (a) shall certify in writing to the appropriate congressional committees, on a quarterly basis during fiscal year 1999, that it did not pay, either directly or through a contractor or grantee, for travel expenses or per diem of any national of the People's Republic of China described in subsection (a).

(2) Each certification under paragraph (1) shall be supported by the following information:

(A) The name of each employee of any agency of the Government of the People's Republic of China whose travel expenses or per diem were paid by funds of the reporting agency of the United States Government.

(B) The procedures employed by the reporting agency of the United States Government to ascertain whether each individual under subparagraph (A) did or did not participate in activities described in subsection (a)(2).

(C) The reporting agency's basis for concluding that each individual under subparagraph (A) did not participate in such activities.

SEC. 9013. (a) Notwithstanding any other provision of law, the Secretary of State may not utilize any funds appropriated or otherwise available for the Department of State for fiscal year 1999 to issue a visa to any national of the People's Republic of China described in section 9012(a)(2) (except the head of state, the head of government, and cabinet level ministers).

(b) Notwithstanding any other provision of law, the Attorney General may not utilize any funds appropriated or otherwise available for the Department of Justice for fiscal year 1999 to admit to the United States any national covered by subsection (a).

(c) The President may waive the prohibition in subsection (a) or (b) with respect to an individual described in such subsection if the President—

(1) determines that it is vital to the national interest to do so; and

(2) provides written notification to the appropriate congressional committees containing a justification for the waiver.

SEC. 9014. In this subtitle, the term "appropriate congressional committees" means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

TREASURY DEPARTMENT, THE UNITED STATES POSTAL SERVICE, THE EXECUTIVE OFFICE OF THE PRESIDENT, AND CERTAIN INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1999

HUTCHINSON AMENDMENTS NOS. 3249-3250

(Ordered to lie on the table.)

Mr. HUTCHINSON submitted two amendments intended to be proposed by him to the bill (H.R. 2312) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1999, and for other purposes; as follows:

AMENDMENT No. 3249

At the appropriate place, insert the following new section:

SEC. ____ . TERMINATION OF INTERNAL REVENUE CODE OF 1986; NEW FEDERAL TAX SYSTEM.

(a) TERMINATION.—

(1) IN GENERAL.—No tax shall be imposed by the Internal Revenue Code of 1986—

(A) for any taxable year beginning after December 31, 2002, and

(B) in the case of any tax not imposed on the basis of a taxable year, on any taxable event or for any period after December 31, 2002.

(2) EXCEPTION.—Paragraph (1) shall not apply to taxes imposed by—

(A) chapter 2 of such Code (relating to tax on self-employment income),

(B) chapter 21 of such Code (relating to Federal Insurance Contributions Act), and

(C) chapter 22 of such Code (relating to Railroad Retirement Tax Act).

(b) NEW FEDERAL TAX SYSTEM.—

(1) STRUCTURE.—The Congress hereby declares that any new Federal tax system should be a simple and fair system that—

(A) applies a low rate to all Americans,

(B) provides tax relief for working Americans,

(C) protects the rights of taxpayers and reduces tax collection abuses,

(D) eliminates the bias against savings and investment,

(E) promotes economic growth and job creation, and

(F) does not penalize marriage or families.

(2) TIMING OF IMPLEMENTATION.—In order to ensure an easy transition and effective implementation, the Congress hereby declares that any new Federal tax system should be approved by Congress in its final form not later than July 4, 2002.

AMENDMENT No. 3250

In lieu of the matter proposed to be inserted by the amendment, insert the following:

SEC. ____ . SATELLITE CONTROLS UNDER THE UNITED STATES MUNITIONS LIST.

(a) CONTROL OF SATELLITES ON THE UNITED STATES MUNITIONS LIST.—Notwithstanding

any other provision of law, the export control of satellites and related items on the Commerce Control List of dual-use items in the Export Administration Regulations (15 C.F.R. Part 730 et seq.) on the day before the effective date of this section shall be considered, on or after such date, to be transferred to the United States Munitions List under section 38 of the Arms Export Control Act (22 U.S.C. 2778).

(b) REPORT.—Each report to Congress submitted pursuant to section 902(b) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101-246) to waive the restrictions contained in that Act on the export to the People's Republic of China of United States-origin satellites and defense articles on the United States Munitions List shall be accompanied by a detailed justification setting forth—

(1) a detailed description of all militarily sensitive characteristics integrated within, or associated with, the satellite;

(2) an estimate of the number of United States civilian contract personnel expected to be needed in country to carry out the proposed satellite launch;

(3) a detailed description of—

(A) the United States Government's plan to monitor the proposed satellite launch to ensure that no unauthorized transfer of technology occurs, together with an estimate of the number of officers and employees of the United States Government expected to be needed in country to carry out monitoring of the proposed satellite launch; and

(B) the manner in which the costs of such monitoring shall be borne; and

(4) the reasons why the proposed satellite launch is in the national security interest of the United States, including—

(A) the impact of the proposed export on employment in the United States, including the number of new jobs created in the United States, on a State-by-State basis, as a direct result of the proposed export;

(B) the number of existing jobs in the United States that would be lost, on a State-by-State basis, as a direct result of the proposed export not being licensed;

(C) the impact of the proposed export on the balance of trade between the United States and China and a reduction in the current United States trade deficit with China;

(D) the impact of the proposed export on China's transition from a nonmarket to a market economy and the long-term economic benefit to the United States;

(E) the impact of the proposed export on opening new markets to American-made products through China's purchase of United States-made goods and services not directly related to the proposed export;

(F) the impact of the proposed export on reducing acts, policies, and practices that constitute significant trade barriers to United States exports or foreign direct investment in China by United States nationals;

(G) the increase in the United States overall market share for goods and services in comparison to Japan, France, Germany, the United Kingdom, and Russia;

(H) the impact of the proposed export on China's willingness to modify its commercial and trade laws, practices, and regulations to make American-made goods and services more accessible to that market; and

(I) the impact of the proposed export on China's willingness to reduce formal and informal trade barriers and tariffs, duties, and other fees on American-made goods and services entering China.

(c) NATIONAL SECURITY WAIVER FOR THE EXPORT OF SATELLITES TO CHINA.—Section 902(b)(2) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101-246; 22 U.S.C. 2151 note) is amended

by inserting before the period at the end the following: “, except that, in the case of a proposed export of a satellite under subsection (a)(5), on a case-by-case basis, that it is in the national security interests of the United States to do so”.

(d) DEFINITIONS.—In this section:

(1) MILITARILY SENSITIVE CHARACTERISTICS.—The term “militarily sensitive characteristics” includes, but is not limited to, antijamming capability, antennas, crosslinks, baseband processing, encryption devices, radiation-hardened devices, propulsion systems, pointing accuracy, or kick motors.

(2) RELATED ITEMS.—The term “related items” means the satellite fuel, ground support equipment, test equipment, payload adapter or interface hardware, replacement parts, and non-embedded solid propellant orbit transfer engines described in the report submitted to Congress by the Department of State on February 6, 1998, pursuant to section 38(f) of the Arms Export Control Act (22 U.S.C. 2778(f)).

(e) EFFECTIVE DATE.—This section shall take effect 15 days after the date of enactment of this Act.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

MCCAIN AMENDMENT NO. 3251

(Ordered to lie on the table.)

Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill, S. 2260, supra; as follows:

On page 62, strike “*Provided further,*” on line 3 and all that follows through line 16 and insert the following: “*Provided further,* That none of the funds appropriated or otherwise made available under this Act or under any other provision of law may be obligated or expended by the Secretary of Commerce, through the Patent and Trademark Office, to plan for the design, construction, or lease of any new facility for that office until the date that is 90 days after the date of submission to Congress by the Administrator of General Services of a report on the results of a cost-benefit analysis that analyzes the costs versus the benefits of relocating the Patent and Trademark Office to a new facility, and that includes an analysis of the cost associated with leasing, in comparison with the cost of any lease-purchase, Federal construction, or other alternative for new space for the Patent and Trademark Office and a recommendation on the most cost-effective option for consolidating the Patent and Trademark Office: *Provided further,* That the report submitted by the Administrator of General Services shall consider any appropriate location or facility for the Patent and Trademark Office, and shall not be limited to any geographic region: *Provided further,* That the Administrator of General Services shall submit the report to Congress not later than May 1, 1999.”.

WELLSTONE (AND LANDRIEU) AMENDMENT NO. 3252

Mr. WELLSTONE (for himself and Ms. LANDRIEU) proposed an amendment to the bill, S. 2260, supra; as follows:

On page 51, between lines 9 and 10, insert the following:

SEC. 121. MENTAL HEALTH SCREENING AND TREATMENT FOR PRISONERS.

(a) ADDITIONAL REQUIREMENTS FOR THE USE OF FUNDS UNDER THE VIOLENT OFFENDER IN-

CARCERATION AND TRUTH-IN-SENTENCING GRANTS PROGRAM.—Section 20105(b) of the Violent Crime Control and Law Enforcement Act of 1994 is amended to read as follows:

“(b) ADDITIONAL REQUIREMENTS.—

“(1) ELIGIBILITY FOR GRANT.—To be eligible to receive a grant under section 20103 or 20104, a State shall, not later than January 1, 1999, have a program of mental health screening and treatment for appropriate categories of convicted juvenile and other offenders during periods of incarceration and juvenile and criminal justice supervision, that is consistent with guidelines issued by the Attorney General.

“(2) USE OF FUNDS.—

“(A) IN GENERAL.—Notwithstanding any other provision of this subtitle, amounts made available to a State under section 20103 or 20104 may be applied to the costs of programs described in paragraph (1), consistent with guidelines issued by the Attorney General.

“(B) ADDITIONAL USE.—In addition to being used as specified in subparagraph (A), the funds referred to in that subparagraph may be used by a State to pay the costs of providing to the Attorney General a baseline study on the mental health problems of juvenile offenders and prisoners in the State, which study shall be consistent with guidelines issued by the Attorney General.”.

FAIRCLOTH AMENDMENT NO. 3253

Mr. FAIRCLOTH proposed an amendment to the bill, S. 2260, supra; as follows:

On page 51, between lines 9 and 10, insert the following:

SEC. 121. Section 3486(a)(1) of title 18, United States Code, is amended by inserting “or any act or activity involving a Federal offense relating to the sexual exploitation or other abuse of children,” after “health care offense,”.

HOLLINGS (AND OTHERS) AMENDMENT NO. 3254

Mr. HOLLINGS (for himself, Mr. DASCHLE, Mr. DORGAN, Mr. CONRAD, Mr. LAUTENBERG, Mrs. MURRAY, Mrs. BOXER, Mr. REID, Mr. FORD, and Mr. JOHNSON) proposed an amendment to the bill, S. 2260, supra; as follows:

At the appropriate place, add the following new section:

SEC. . SENSE OF THE SENATE ON THE BUDGET AND SOCIAL SECURITY.

(a) FINDINGS.—The Senate finds that:—

(1) the Social Security system provides benefits to 44 million Americans, including 27.3 million retirees, over 4.5 million people with disabilities, 3.8 million surviving children and 8.4 million surviving adults, and is essential to the dignity and security of the nation's elderly and disabled;

(2) the Trustees of the Federal Old-Age and Survivors Insurance and Disability Insurance Trust Funds have reported to the Congress that the “total income” of the Social Security system “is estimated to fall short of expenditures beginning in 2021 and in each year thereafter . . . until the assets of the combined trust funds are exhausted in 2032”;

(3) intergenerational fairness, honest accounting principles, prudent budgeting, and sound economic policy all require saving Social Security first, in order that the Nation may better afford the retirement of the baby boom generation, beginning in 2010;

(4) in reforming Social Security in 1983, the Congress intended that near-term Social Security trust fund surpluses be used to prefund the retirement of the baby boom generation;

(5) in his State of the Union message to the joint session of Congress on January 27, 1998, President Clinton called on the Congress to “save Social Security first” and to “reserve one hundred percent of the surplus, that is any penny of any surplus, until we have taken all the necessary measures to strengthen the Social Security system for the twenty-first century”;

(6) Section 13301 of the Budget Enforcement Act of 1990 expressly forbids counting Social Security trust fund surpluses as revenue available to balance the budget.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress and the President should—

(1) continue to rid our country of debt and work to balance the budget without counting Social Security trust fund surpluses;

(2) work in a bipartisan way on specific legislation to reform the Social Security system, to ensure that it is financially sound over the long term and will be available for all future generations; and

(3) save Social Security first by reserving any surpluses in fiscal year 1999 budget legislation.

GREGG (AND OTHERS) AMENDMENT NO. 3255

Mr. GREGG (for himself, Mr. LOTT, Mr. MACK, Mr. GRAMM, and Mr. MURKOWSKI) proposed an amendment to amendment No. 3254 proposed by Mr. HOLLINGS to the bill, S. 2260, supra; as follows:

In the pending amendment, strike all after the word “Sec.” and insert the following:

SENSE OF THE SENATE ON THE BUDGET AND SOCIAL SECURITY.

(A) FINDINGS.—The Senate finds that:—

(1) the Social Security system provides benefits to 44 million Americans, including 27.3 million retirees, over 4.5 million people with disabilities, 3.8 million surviving children and 8.4 million surviving adults, and is essential to the dignity and security of the nation's elderly and disabled;

(2) the Trustees of the Federal Old-Age and Survivors Insurance and Disability Insurance Trust Funds have reported to the Congress that the “total income” of the Social Security system “is estimated to fall short of expenditures beginning in 2021 and in each year thereafter . . . until the assets of the combined trust funds are exhausted in 2032”;

(3) intergenerational fairness, honest accounting principles, prudent budgeting, and sound economic policy all require saving Social Security first, in order that the Nation may better afford the retirement of the baby boom generation, beginning in 2010;

(4) in reforming Social Security in 1983, the Congress intended that near-term Social Security trust fund surpluses be used to prefund the retirement of the baby boom generation;

(5) in his State of the Union message to the joint session of Congress on January 27, 1998, President Clinton called on the Congress to “save Social Security first” and to “reserve one hundred percent of the surplus, that is any penny of any surplus, until we have taken all the necessary measures to strengthen the Social Security system for the twenty-first century”;

(6) saving Social Security first would work to expand national savings, reduce interest rates, enhance private investment, increase labor productivity, and boost economic growth;

(7) section 13301 of the Budget Enforcement Act of 1990 expressly forbids counting Social Security trust fund surpluses as revenue available to balance the budget; and

(8) the CBO has estimated that the unified budget surplus will reach nearly \$1.5 trillion over the next ten years.